

103^D CONGRESS
1ST SESSION

H. R. 2939

To amend title 23, United States Code, to establish a minimum blood alcohol concentration level for individuals who are less than 21 years of age.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 6, 1993

Mr. FLAKE introduced the following bill; which was referred to the Committee on Public Works and Transportation

A BILL

To amend title 23, United States Code, to establish a minimum blood alcohol concentration level for individuals who are less than 21 years of age.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. MINIMUM BLOOD ALCOHOL CONCENTRATION**

4 **LEVEL FOR INDIVIDUALS UNDER AGE 21.**

5 (a) IN GENERAL.—Chapter 1 of title 23, United
6 States Code, is amended by adding at the end the follow-
7 ing:

1 **“§ 161. National minimum blood concentration level**
2 **for individuals under age 21**

3 “(a) WITHHOLDING OF FUNDS FOR NONCOMPLI-
4 ANCE.—If, at any time in a fiscal year beginning after
5 September 30, 1996, a State does not have in effect a
6 law which makes it unlawful for a person who is less than
7 21 years of age and who has a blood alcohol concentration
8 level of 0.02 percent or greater to drive a motor vehicle,
9 the Secretary shall withhold 3 percent of the amount re-
10 quired to be apportioned for the succeeding fiscal year to
11 the State under each of sections 104(b)(1), 104(b)(2), and
12 104(b)(3) of this title.

13 “(b) PERIOD OF AVAILABILITY; EFFECT OF COM-
14 PLIANCE AND NONCOMPLIANCE.—

15 “(1) PERIOD OF AVAILABILITY OF WITHHELD
16 FUNDS.—Any funds withheld under this section
17 from apportionment to any State shall remain avail-
18 able for apportionment to such State until the end
19 of the third fiscal year following the fiscal year for
20 which such funds are authorized to be appropriated.

21 “(2) APPORTIONMENT OF WITHHELD FUNDS
22 AFTER COMPLIANCE.—If, before the last day of the
23 period for which funds withheld under this section
24 from apportionment are to remain available for ap-
25 portionment to a State under paragraph (1), the
26 State makes effective a law described in subsection

1 (a), the Secretary shall on the day following the ef-
 2 fective date of such law apportion to such State the
 3 withheld funds remaining available for apportion-
 4 ment to such State.

5 “(3) PERIOD OF AVAILABILITY OF SUBSE-
 6 QUENTLY APPORTIONED FUNDS.—Any funds appor-
 7 tioned pursuant to paragraph (2) shall remain avail-
 8 able for expenditure until the end of the third fiscal
 9 year succeeding the fiscal year in which such funds
 10 are so apportioned. Sums not obligated at the end
 11 of such period shall lapse.

12 “(4) EFFECT OF NONCOMPLIANCE.—If, at the
 13 end of the period for which funds withheld under
 14 this section from apportionment are available for ap-
 15 portionment to a State under paragraph (1), the
 16 State has not made effective a law described in sub-
 17 section (a), such funds shall lapse.”.

18 (b) CONFORMING AMENDMENT.—The analysis for
 19 chapter 1 of such title is amended by adding at the end
 20 the following:

“161. National minimum blood alcohol concentration for individuals under age
 21.”.

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